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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WAYNE INOUE,

Defendant.

CR. NO. 21-00034 LEK

THIRD STIPULATION AND
ORDER CONTINUING TRIAL
DATE AND EXCLUDING TIME
UNDER THE SPEEDY TRIAL ACT

OLD TRIAL DATE: April 11, 2022
NEW TRIAL DATE: August 29, 2022

THIRD STIPULATION CONTINUING TRIAL DATE
AND EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT

A. The United States of America and the defendant, WAYNE INOUE, through their respective attorneys, hereby agree and stipulate to continue the trial in this case and to exclude the time period from April 11, 2022 to and including the new trial date from computation under the Speedy Trial Act. The reason for the continuance is that defense counsel needs adequate time to review the extensive discovery produced by the government, thoroughly investigate potential factual and legal defenses, and file any appropriate motions.

B. The parties further agree that the ends of justice served by the continuance outweigh the best interests of the defendant and the public in a speedy trial, and:

1. The failure to grant such a continuance would be likely

☐ To make a continuation of such proceeding impossible

☒ To result in a miscarriage of justice.

2. The case is so

☐ Unusual

☐ Complex

due to the

☐ Number of defendants

☐ Nature of the prosecution

☐ Existence of novel questions of fact or law

that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by the Speedy Trial Act.

3. The failure to grant the continuance would

☐ Deny the defendant reasonable time to obtain counsel

☐ Unreasonably deny the defendant continuity of counsel

☐ Unreasonably deny the government continuity of counsel

☒ Deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence

☐ Deny counsel for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

C. The parties further agree that the period of time from April 11, 2022 to and including August 29, 2022 constitutes a period of delay which shall be

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excluded in computing the time within which the trial in this case must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B), and (h)(6).

DATED: February 16, 2022, at Honolulu, Hawaii.

CLARE E. CONNORS
United States Attorney
District of Hawaii

By /s/ Craig S. Nolan
CRAIG S. NOLAN
MICHAEL NAMMAR
Assistant U.S. Attorneys

/s/ Lynn Panagakos
THOMAS M. OTAKE, ESQ.
LYNN PANAGAKOS, ESQ.
Attorneys for Defendant
WAYNE INOUE

**ORDER CONTINUING TRIAL
AND EXCLUDING SPEEDY TRIAL ACT TIME**

The above Stipulation Continuing Trial Date and Excluding Time Under the Speedy Trial Act is hereby approved, and the agreements set forth in paragraphs A, B, and C of the Stipulation are adopted as findings by the Court. For the reasons stated, IT IS HEREBY ORDERED:

(1) the jury selection and trial are set for August 29, 2022, at 9:00 a.m., before Leslie E. Kobayashi, United States District Judge;

(2) the trial status conference is set for July 13, 2022, at 11:00 a.m., by videoconference, before Leslie E. Kobayashi, United States District Judge;

(2) the final pretrial conference is set for July 25, 2022, at 11:00 a.m., before Wes Reber Porter, United States Magistrate Judge; and

(3) defense motions are due on July 18, 2022, and the government's responses are due on August 1, 2022.

IT IS FURTHER ORDERED that the period of time from April 11, 2022 to and including August 29, 2022 constitutes a period of delay which shall be

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excluded in computing the time within which the trial in this case must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B), and (h)(6).

DATED: February _17_, 2022, at Honolulu, Hawaii.



/s/ Leslie E. Kobayashi
Leslie E. Kobayashi
United States District Judge

UNITED STATES v. WAYNE INOUE

Cr. No. 21-00034 LEK

“Third Stipulation and Order Continuing Trial Date and Excluding Time Under the Speedy Trial Act”